

IDEM Mission

The Indiana Department of Environmental Management is dedicated to conserving, protecting, enhancing, restoring, and managing Indiana's environment. We strive to fairly, but vigorously, enforce environmental laws and standards; promulgate regulations consistent with the law and public policy; and promote conservation, pollution prevention, and a healthy and sustainable ecosystem. We are committed to making Indiana a cleaner, healthier place to live.

U.S. EPA Region 5 Mission

U.S. EPA Region 5's mission is to protect human health and preserve natural resources, to prevent and abate pollution to protect the environment, serve the public with education, innovation, action and results, and to lead the way in restoring and protecting the Great Lakes and all Midwestern ecosystems.

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I. GENERAL PURPOSE AND CONTEXT

The Indiana Department of Environmental Management (IDEM) is entering its second year with the National Environmental Performance Partnership System, or NEPPS. This system was created on May 17, 1995, when the U.S. Environmental Protection Agency (U.S. EPA) Administrator Carol Browner and state representatives signed a "Joint Commitment to Reform Oversight and Create a National Environmental Performance Partnership System." This system recognizes two decades of environmental progress in the United States, but acknowledges that we must modify existing policies and management approaches to address our most pervasive and difficult-to-solve problems. Through NEPPS, U.S. EPA and states work together to monitor environmental conditions and develop innovative approaches to improve the quality of our nation's air, water and land. NEPPS also provides states with greater flexibility to achieve results while maintaining accountability for meeting national standards. NEPPS consists of:

- ! Increased use of environmental goals and indicators
- ! Self-assessment by states of program accomplishments and barriers
- ! Environmental Performance Partnership Agreements (EnPPA) between states and U.S. EPA Regions
- ! Reduced oversight and increased flexibility for states that demonstrate strong performance
- ! Public outreach to increase awareness of environmental conditions and public involvement in setting goals and objectives
- ! Joint U.S. EPA and state evaluation of the new system

This Environmental Performance Partnership Agreement (EnPPA) was created through a joint planning and priority-setting dialogue between IDEM and U.S. EPA Region 5, informed both by feedback from Indiana citizens and directions set by U.S. EPA national, regional and state program managers. Through this agreement, we hope to continuously improve the U.S. EPA-IDEM relationship and our systems for managing environmental programs. The Agreement is based on several underlying assumptions:

- ! That U.S. EPA should rely on the states to manage environmental programs delegated to the states.
- ! That states and U.S. EPA should incorporate the public's ideas and concerns into our priority-setting and planning.
- ! That we should strive continuously to improve the products and services we provide.
- ! That we must be accountable to stakeholders and communities who have a right to expect timeliness, efficiency, professionalism, and progress toward improved environmental conditions.
- ! That we should maximize each other's strengths and eliminate duplication of effort to ensure the wisest use of public resources.
- ! That states and communities must be afforded greater flexibility, as allowed by law, in applying rules and guidance to meet national goals and standards.
- ! That the federal government retains a vital responsibility to ensure consistent implementation and enforcement of national laws, regulations and standards, and for ensuring that states provide fundamental public health and environmental protection to their citizens and those downwind and downstream.

I. GENERAL PURPOSE AND CONTEXT

U.S. EPA has agreed to work with all states, using the new environmental performance partnership system, to reach agreements that are based increasingly on an assessment of the environmental conditions and needs in each state.

Environmental indicators, program performance measures, and reporting requirements will be used both to measure the fulfillment of state and U.S. EPA Region 5 commitments under this agreement and to provide data to analyze the effectiveness of different approaches to environmental protection. U.S. EPA Region 5 will monitor IDEM's basic program performance and fiscal responsibilities, as required by law. However, a basic goal of this agreement is to shift the primary focus of the U.S. EPA Region 5-IDEM dialogue away from measuring activities and toward identifying and solving environmental problems.

This effort has only begun. In the coming years, U.S. EPA Region 5 and IDEM pledge to work through the details of this significant cultural and institutional change in how we work with each other to protect Indiana's environment.

A. Scope of the Agreement

This agreement will be in effect from the signature date through June 30, 1999. This agreement describes all IDEM programs that provide environmental protection to Indiana citizens, whether or not they are funded or mandated by U.S. EPA. Federal funding makes up about 25 percent of IDEM's overall budget. By including goals and objectives for all IDEM programs, regardless of funding source, we are able to give Indiana citizens a broader picture of our efforts to protect and clean up Indiana's environment. U.S. EPA Region 5's traditional oversight role, however, is limited to those programs carried out under the federal statutes and programs listed below:

- ! Clean Air Act
- ! Clean Water Act
 - Surface Water Protection
 - Ground Water Protection
 - Wetlands
- ! Safe Drinking Water Act
 - Public Drinking Water
- ! Solid Waste Disposal Act
 - Resource Conservation and Recovery Act
 - Underground Storage Tanks
 - Hazardous Waste Management
 - Solid Waste Management
- ! Comprehensive Environmental Response, Compensation and Liability Act
 - Superfund Amendments and Reauthorization Act
- ! Toxic Substances Control Act
- ! Asbestos Hazard Emergency Response Act

The agreement serves as IDEM's work plan for the following grants: air pollution control, asbestos hazard emergency response (AHERA), public water system supervision, water pollution control, hazardous waste management, and underground storage tank (UST).

While U.S. EPA Region 5 and IDEM have attempted to provide a description of each agency's environmental protection activities for the period of this agreement, there may be additional environmental problems warranting action that neither agency contemplates at this time. U.S. EPA Region 5 and IDEM agree to coordinate our activities during the agreement period to avoid overlap and duplication of effort in addressing new concerns and issues that arise. Furthermore, we recognize that this agreement does not necessarily encompass every relationship between IDEM and U.S. EPA Region 5, and that some agreements and relationships will be described in program specific documents elsewhere. Agreements that are in place between U.S. EPA Region 5 and other Indiana state agencies are not included in this agreement. This agreement does not replace or supersede statutes, regulations, or delegation agreements entered into previously with the state.

B. Indiana's Environmental/Strategic Goals and Initiatives

This Agreement is based upon the following environmental and strategic goals for Indiana:

- ! Prevent Pollution**
- ! Reduce Toxic Releases**
- ! Improve Indiana's Air Quality**
- ! Restore and Protect Indiana's Surface Water**
- ! Protect Indiana's Ground Water**
- ! Ensure Safe Drinking Water**
- ! Focus on Northwest Indiana**
- ! Reduce and Safely Manage Waste**
- ! Clean Up Contaminated Sites**
- ! Continuously Improve IDEM**

These goals provide the broad framework which describes all the major activities IDEM undertakes to protect public health and improve Indiana's environment. Within these goals, we have identified four key initiatives that IDEM will focus on during the next two years. These initiatives are:

- ! Deliver Quality Service: Permits, Compliance, Accountability.** IDEM will focus on delivering timely, high-quality permits in all programs and will eliminate any backlogs by June 30, 1999. We will also evaluate how to better integrate our many compliance tools to ensure that all pollution sources comply with applicable limits. We will increase our accountability to the public at large and to specific stakeholders by increasing the availability of information, including an annual state of the environment report and improved fiscal accountability. Activities under this priority are located in the Appendix A under goal J, Continuously Improve IDEM.
- ! Increase Regional Focus:** We will develop a pilot watershed management project to implement clean water standards and broad-based environmental improvements in a specific watershed in the state. Working with local communities, businesses and citizens, we will develop a long-term plan for comprehensive protection of the chosen watershed. We will work closely with communities in ozone nonattainment, or at risk of losing attainment under

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the new federal standards, by establishing an agency-wide task force with project leaders for each local area. The project leaders will work with local teams to identify the actions necessary to bring air quality to healthy levels. We will establish a greater local presence by opening more regional offices. Activities under this priority are located in the Appendix A under goals C, Improve Indiana's Air Quality; D, Restore and Protect Indiana's Surface Water; and J, Continuously Improve IDEM.

- ! Help Communities Invest in the Future:** We will use our assistance tools to help local communities prosper as a healthy place to live and raise a family. We will emphasize brownfield redevelopment and voluntary remediation programs to clean up and revitalize distressed properties. We will help resolve the problem of underground storage tanks across Indiana. We will help finance communities' investments in improved wastewater and drinking water plants. Activities under this priority are located in the Appendix A under goals D, Restore and Protect Indiana's Surface Water; E, Protect Indiana's Ground Water; F, Ensure Safe Drinking Water; and I, Clean Up Contaminated Sites.
- ! Protect Children from Environmental Threats:** We will develop and implement a strategy that helps protect children's health from environmental threats. The strategy will focus on the following priority materials: lead, mercury, asbestos, radon, pesticides, *E.coli*, ozone, and fine particulate matter, as well as any other threats that are identified. We will examine and revise our current programs to enhance the benefits to children. We will educate parents and children so they can make responsible decisions to protect themselves. We will fill gaps by creating new programs such as a lead-based paint abatement program. Activities for this initiative can be found throughout the document, particularly under goals B, Reduce Toxic Emissions; C, Improve Indiana's Air Quality; D, Restore and Protect Indiana's Surface Water; E, Protect Indiana's Groundwater; F, Ensure Safe Drinking Water; and G, Focus on Northwest Indiana.

In addition, IDEM has identified a number of initiatives to recruit and retain our employees and to make our agency a better place to work. These are identified in Appendix A under strategic objective J.1. IDEM and U.S. EPA Region 5 share many of the above goals and priorities. The two agencies will work together on these initiatives whenever our joint efforts can achieve better results than either of us working alone. IDEM will continue to implement its programs to maintain the base level of environmental protection required by state and federal statutes and to seek innovative approaches to encourage environmental performance beyond the federal minimums.

C. U.S. EPA Region 5 Priorities

U.S. EPA Region 5's *Agenda for Action* declares the strategic environmental priorities the Region will address for federal fiscal year 1998. A regional priority is one that:

- !** addresses a multi-media environmental problem;
- !** requires non-traditional methods to solve the problem;
- !** needs federal leadership;
- !** is broad in scope;

- ! impacts a significant population or resource; and/or
- ! is an administration priority.

U.S. EPA Region 5's strategic environmental priorities are:

- ! Reducing toxics, especially mercury
- ! Slowing urban sprawl, especially by promoting brownfields redevelopment
- ! Clean up sediments
- ! Protecting and restoring critical ecosystems
- ! Protecting people at risk, especially children and environmental justice communities

Some regional priorities were chosen as joint priorities and are described in Section D below. The remainder will be pursued and tracked by U.S. EPA Region 5. While the two agencies have decided not to pursue these remaining areas jointly, we expect to work together on many of them.

U.S. EPA Region 5 has identified Northwest Indiana and the Lake Michigan Basin as principal places to pursue multi-media and community-based approaches and activities, and to concentrate their limited resources in Indiana.

U.S. EPA Region 5 has identified the following critical approaches to be implemented in addressing the strategic environmental priorities:

- ! Enforcement and compliance assurance
- ! Community-based environmental protection
- ! Pollution prevention
- ! Partnerships with states, local governments, other federal agencies, and other nations
- ! Customer focus
- ! Trust responsibility for tribes
- ! Risk and science-based decision-making
- ! Measuring and managing for environmental results
- ! Regulatory innovation
- ! Human resource investment for change

D. IDEM/U.S. EPA Region 5 Joint Priorities

In 1993, the six states of Region 5 and the U.S. EPA Region 5 office developed and signed the "Strategic Directions for the Midwest Environment (1995-1999)." This document identified ten strategic environmental protection themes for the Great Lakes region that were in need of further attention. Several of those themes still require attention and serve as a basis for setting priorities for this agreement.

For this agreement, U.S. EPA Region 5 and the six Region 5 states have agreed to pursue a two-

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tiered (i.e. Region-wide and bilateral) approach to joint priority setting. This year, U.S. EPA Region 5 and the states have agreed to establish one region-wide priority that all will work on jointly to address our shared goals. All other joint priorities between U.S. EPA Region 5 and IDEM will be set independently, i.e., bilaterally.

Both U.S. EPA Region 5 and IDEM will continue to establish other priorities independently. The agencies will coordinate these activities and agree to manage overlapping and complementary activities in a manner that minimizes any duplication of our efforts.

Region-wide Joint Priority for Fiscal Year 1998: For Fiscal Year 1998, the six states and U.S. EPA Region 5 selected **measuring and managing for environmental results** as the key priority for the coming year and one that we want to work on as a group. We agree that measuring the results of our environmental programs could help us determine where to focus resources and attention to achieve a better environment. To explore how to best use environmental measures to guide programs, we have agreed to work on common measures for **air toxics, mercury reduction and brownfields**. The environmental goals and measurements that we will track for the period of this Agreement are described in Section IV and Appendix A.

For Fiscal Year 1999, IDEM and U.S. EPA Region 5 will negotiate any additional regional priorities under this agreement after discussion among the six states and U.S. EPA Region 5.

IDEM/U.S. EPA Region 5 Bilateral Priorities: Protecting and restoring the environment in Northwest Indiana is a priority for both IDEM and U.S. EPA Region 5. Both agencies work closely together to achieve the goals of the Northwest Indiana Action Plan, Remedial Action Plan for the Grand Calumet River Area of Concern, the Lakewide Area Management Plan and other initiatives underway. Both agencies desire to work together to achieve solutions that will improve the environment in Northwest Indiana through innovations, partnerships and community-based planning.

E. Roles of IDEM and U.S. EPA Region 5 under this Agreement

At its core, this agreement defines the roles that both IDEM and U.S. EPA Region 5 will play in protecting the environment and public health in the state of Indiana and maximizing efficient use of each agency's limited resources.

IDEM and U.S. EPA Region 5 recognize the primary role of IDEM in administering federal environmental programs delegated to the state under federal law and in carrying out state programs prescribed under state law. Beyond this, U.S. EPA Region 5 recognizes the commitment of IDEM to using all of its authorities to protect the environment and health of the citizens of Indiana. The federal role played by U.S. EPA Region 5 in assisting the state includes: addressing multi-state or national issues directly; implementing programs not delegated to IDEM; and working on targeted sectors, watersheds, airsheds, or regions in conjunction with IDEM.

Several activities are common to both IDEM and U.S. EPA Region 5, such as permitting, compliance, enforcement, monitoring, and outreach. Permitting is perhaps IDEM's most visible

activity. Federal and state statutes require businesses and communities to obtain permits to ensure protection of human health and the environment. Permits are one means of controlling environmental impacts. They promote monitoring and the collection of invaluable data. Ensuring compliance with permit or statutory requirements remains a high priority with both agencies. We employ an integrated set of compliance assistance, compliance monitoring and enforcement tools to encourage and ensure compliance with the law, correct environmental problems and deter future violations. U.S. EPA's research and both agencies' environmental monitoring efforts are the foundation for many of our activities and are essential for improving services and strengthening our ability to carry out mandates. In summary, both agencies agree to the following basic partnership roles:

IDEM

- Delegated federal programs administration
- Permit review and issuance
- Enforcement/facility inspections
- Compliance assistance
- Public outreach and education
- State environmental programs administration
- Customer service
- Technical assistance

U.S. EPA Region 5

- Permit peer review for delegated programs
- Permit issuance for non-delegated programs
- Enforcement/facility inspections
- Compliance assistance
- Public outreach and education
- Ensure national consistency
- Address interstate issues
- Technical assistance to IDEM
- Review of federal programs delegated to state

The federal government has a fundamental responsibility arising from several acts of Congress to ensure the integrity of the nation's environment and the health of its diverse citizenry. Since pollution does not respect political boundaries, U.S. EPA must ensure that a consistent, level playing field exists across the nation. U.S. EPA Region 5 provides leadership in addressing environmental problems that cross state, regional and national borders. Region 5 works with its many partners--other federal agencies, states, tribes, and local communities--to address high priority environmental problems. Region 5 also reviews state program performance and assists states and other partners in building their capacity to ensure protection of public health and the environment. Region 5 will continue to provide Indiana with funding for its base programs and specific projects which will achieve environmental results consistent with Region 5 and IDEM priorities set forth in this agreement and will evaluate Indiana's programs to ensure fiscal integrity. The Region will continue to build state capacity for undelegated programs with a goal of delegating those programs to the state in the near future.

This agreement is based on the commitments made by IDEM when federal programs were delegated to the agency. IDEM recommits to carry out the provision of those delegation/authorization agreements. This agreement serves as a guide to implementation, but

does not supersede any existing federal statute, regulation, cooperative program agreements or other agreements in support of program delegations. U.S. EPA Region 5 and IDEM staff will meet, at least annually, to determine how to improve the partnership.

F. Framework for this Agreement

IDEM has adopted a framework for planning to ensure a consistent vocabulary while implementing this agreement. The framework is consistent with the national framework for core performance measures developed jointly by U.S. EPA and the states. The **goals** described herein are long-term visions of what we are trying to achieve. **Objectives and outcomes** are targets which we strive to achieve in a specific, measurable, achievable, realistic, and timely (SMART) manner.

The table on the next page summarizes the four levels in IDEM's planning framework.

Environmental/Strategic Goals: Environmental and strategic goals are equally important to the agency. *Environmental goals* focus on desired improvements in the state of the environment, measured through ambient air and water quality. *Strategic goals* focus on improved environmental management practices, geographic priorities, internal IDEM management and other issues of importance. For example, our goal for drinking water is: "Ensure Safe Drinking Water".

Environmental/Strategic Objectives: *Environmental objectives* define a specific and measurable result that is achievable and realistic within a specified time period, related to: 1) the desired ambient state of the environment, 2) the uptake or body burden of pollutants in living organisms, or 3) actual health effects, such as disease rates or reproduction problems in living organisms. *Strategic objectives* should also define a specific and measurable result that is achievable within a specific time period, but these objectives should be related to their strategic goal. For example, an environmental objective for drinking water is "By 2005, 99 percent of the population served by public water supply systems will have water that meets Safe Drinking Water standards."

Outcomes: An *outcome* is a specific and measurable result that describe the outcome(s) we are encouraging or requiring of pollution sources. Behaviors may be either required or voluntary. For example, compliance with permits is required, but participation in voluntary ozone action days is not.

Program Activities : *Program activities* are specific IDEM or U.S. EPA Region 5 actions, projects and products that we undertake to achieve our environmental or strategic objectives and outcomes.

IDEM will use indicators and performance measures to assess how well Indiana is meeting its goals and objectives through qualitative and quantitative data analysis.

Framework for Planning		
Environmental Goal	Strategic Goal	<ul style="list-style-type: none"> ▶ Long-term end-point, not constrained by resources. Ultimate desired result. ▶ May be either a quantitative or qualitative target. ▶ Do not have a specific time frame.
Environmental Objective	Strategic Objective	<ul style="list-style-type: none"> ▶ A clear target for environmental or strategic results that includes a time frame, a numerical target, and a baseline. ▶ Linked to the environmental or strategic goal. ▶ Achievable and realistic with anticipated resources. ▶ Time frame of at least 5 to 10 years.
Outcome		<ul style="list-style-type: none"> ▶ Desired changes in emission levels or changes in compliance rates or activities of pollution sources. ▶ Linked to the environmental or strategic objectives. ▶ Ideally, a clear target that includes a time frame, a numerical target, and a baseline. ▶ Achievable and realistic with anticipated resources. ▶ Time frame of 2 to 5 years.
Program Activity		<ul style="list-style-type: none"> ▶ What IDEM or U.S. EPA does, not what happens as a result. ▶ Linked to outcome. ▶ Includes enforcement actions, inspections, education and outreach activities, etc. ▶ May include measurable targets for program performance, such as "Issue all permits on time" ▶ Two-year time frame under agreement.

G. Measuring Environmental Results

Under the NEPPS, state and federal program managers are directed to focus more on "improving environmental results." To achieve this new focus, the NEPPS calls for setting environmental goals and using environmental performance measures (i.e. indicators) to keep better track of our progress.

Both IDEM and U.S. EPA Region 5 have experience working with characterization of environmental conditions. IDEM has historically collected ambient environmental quality data and reported its findings. However, we must improve linkages between actual environmental conditions and program performance, so that we can better assess our effectiveness over time. NEPPS should also help us to apply our resources where they will do the most good.

IDEM uses indicators as the tools to assess progress toward achieving the goals and objectives set throughout this agreement. U.S. EPA Region 5 has encouraged states to adopt outcome- and output-oriented performance measures to track environmental conditions and trends, business environmental performance, and program performance.

IDEM developed indicators for the first time for the Fiscal Year 1997 EnPPA. Since then, the department has worked to refine its indicators. That process involved scientific and regulatory review by IDEM staff, active participation in national discussions regarding EPA core performance measures, as well as stakeholder review of the proposed indicators.

Core Performance Measures: At the national level, states have been working with U.S. EPA to develop core performance measures which define the accountability of national environmental programs, directing them toward the desired environmental goals and objectives. Both Indiana and U.S. EPA Region 5 have been active participants in this effort. IDEM is referencing in this agreement the current draft core performance measures agreed to by the states and U.S. EPA, as stated in the August 1, 1997, "Draft Joint Statement on Measuring Progress under the National Environmental Performance Partnership System". The indicators in this document which correspond to core performance measures are marked [CPM number] (where "number" refers to the numbering of the core performance measures listed in Appendix B).

Core performance measures are designed to promote managing for environmental results. The intent is to develop measures that reflect a national consensus of the key objectives necessary for sound environmental performance. The following three types of core performance measures have been incorporated into this agreement.

- ! *Core environmental indicators:* quantitative measures taken at suitable time intervals, of progress toward achievement of environmental objectives. Measures environmental conditions or their impacts on living things (i.e., ambient air quality, mercury levels in fish tissue, population declines or disease rates).
- ! *Core program outcome measures:* quantitative measures of responses that result from operation of an environmental program. Measures the result from state or U.S. EPA Region 5 actions as manifested outside our programs (i.e., improved compliance, reduced emissions, pollution prevention practices).
- ! *Core program output measures:* quantitative measures of program activities that are

important work products or actions taken during a defined time period.

Over time, greater emphasis will be placed on the core environmental indicators and core outcome measures as they become available and are used. Accordingly, core output measures will be de-emphasized as the use of indicators increases.

Although the department now has some experience implementing the necessary systems to develop and track performance measures, we still see this as a developmental and on-going process. For this reason, additional changes to some of the proposed environmental indicators will still occur during Fiscal Year 1998-99 as a result of ongoing scientific/regulatory review, national discussions, and stakeholder input.

H. Relationship of Agreement to Grants

A performance partnership grant (PPG) is a single grant made to a state which combines funds which would otherwise be available through the individual categorical grants. The PPG is designed to provide maximum administrative and programmatic flexibility to states, allowing the combination of up to sixteen eligible categorical grants. The EnPPA replaces the categorical work plans for the grants that IDEM has combined. In the Fiscal Year 98 grant application, IDEM has combined air pollution control, asbestos hazard emergency response (AHERA), public water system supervision, water pollution control, hazardous waste management and underground storage tank (UST) grants.

The PPG and the EnPPA together are the primary tools for implementing the new management perspective leading to differential oversight of U.S. EPA programs. This new perspective provides an incentive for state programs to perform well, rewarding strong state programs and freeing up federal resources for high priority environmental problems.

The benefits of combining the categorical grants into the PPG are:

- ! flexibility in addressing environmental priorities (both in terms of the types of activities and the level of resources),
- ! cost savings in addressing priorities through multi-media approaches,
- ! allowing the public to see the goals, objectives and resources (tax dollars) and how they are used; and
- ! reducing administrative efforts.

In order to gain additional flexibility to address environmental priorities, IDEM will set aside five percent of EPA's Fiscal Year 1998 grants for air pollution control, water pollution control and hazardous waste management. These monies will provide additional resources for pollution prevention, disseminating environmental information to the public, agency-wide planning and analyzing environmental trends. Activities that will be funded by these PPG funds are designated in the Appendix A under goals A, Prevent Pollution and J, Continuously Improve IDEM. IDEM will not disinvest in any air, water or hazardous waste programs as a result of this set aside. Under each goal, the activities and products which are part of the PPG are delineated with a [PPG] notation. The PPG resources which fund IDEM's activities are listed at the beginning of each goal in Appendix A. The resources identify the work years or full-time equivalents (FTEs),

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and the federal funding and state matching contribution.

IDEM reporting requirements for the PPG will include financial and programmatic elements. The financial reporting will be completed annually with the submittal of a financial status report (FSR). Programmatic reporting will be fulfilled with the submittal of notes and materials from semi-annual partnership meetings and the IDEM self-assessment as described in Section V.

I. Quality Assurance and Quality Management Plans

Both IDEM and U.S. EPA Region 5 are striving to improve the quality of environmental data and other information that is available to our stakeholders. This is being accomplished through more frequent dialogue between the agencies and with stakeholders, coordinated efforts to reduce reporting burdens, and the evolving roles of the two agencies. We recognize that our assessment of environmental conditions and trends depends on data of known quality. Similarly, the value of the information we make available to our stakeholders is dependent on its quality. IDEM and U.S. EPA Region 5 are committed to ensuring that the environmental data collected under the performance partnership grant will be of known and appropriate quality. This will be accomplished through the documentation of the agreeing parties' quality systems. The U.S. EPA Region 5 quality system is described in the 1996 publication, "Quality Assurance Management Plan". IDEM is committed to establishing a department-wide quality system. This system would consist of appropriate standards and procedures that provide for quality assurance and effective management of IDEM data. Our system would be consistent with ANSI/ASQC E4-1994, U.S. EPA policy, 40 CFR Part 31, as well as other IDEM quality initiatives.

IDEM is currently implementing several major department-wide initiatives. These include: the NEPPS, reconfiguration of our information technology infrastructure and consolidation of hundreds of databases; organizational changes, and process improvements for permitting; and other processes. Each initiative has the capability to impact IDEM and its customers dramatically, and each requires a major investment of available management and technical resources. Several IDEM initiatives are devoted to responding to U.S. EPA's initiatives. Because of these prior commitments, IDEM resources will not be available in Fiscal Year 1998 to complete a quality management plan as requested by U.S. EPA Region 5. Development of this plan is expected to require significant lead time in order to prepare the department for proper and effective implementation of the changes that would be required. IDEM is committed to preparing, by the end of Fiscal Year 1998, a plan describing the process for developing an agency-wide quality management system.

For Fiscal Year 1998, IDEM will comply with the U.S. EPA Region 5 quality assurance requirements, 40 CFR Part 31.45, and the U.S. EPA quality system requirements for this performance partnership grant by certifying that the existing quality assurance project plans are still valid. Where necessary, revisions to the currently approved quality assurance project plans will be submitted for approval during the grant year for each program covered by the performance partnership grant.

II. GENERAL PRINCIPLES FOR STATE / FEDERAL

PARTNERSHIP

A. Enforcement/Compliance

In order to best achieve the full benefits of their partnership relationship, IDEM and U.S. EPA Region 5 agree that the following principles will serve as the foundation for their relationship in the compliance and enforcement area:

- ! Explore the most effective application of the full spectrum of their compliance tools -- from compliance assistance through compliance inspection and monitoring, administrative and civil enforcement actions, to criminal prosecution -- to encourage and/or maintain the compliance of sources of all sizes, return violators to compliance and deter non-compliance.
- ! Use joint up-front planning to coordinate priorities, maximize agency resources, avoid duplication of efforts, eliminate surprises, and institutionalize communication.
- ! Manage for environmental results, supporting the respective agencies' environmental goals and objectives.

Under this EnPPA, U.S. EPA Region 5 and IDEM retain their respective authorities and responsibilities to conduct enforcement and compliance activities. While specific compliance and enforcement activities to be accomplished during the term of this agreement are included in the appendices, a summary of IDEM and U.S. EPA Region 5 roles in compliance and enforcement is presented here. Where state and federal roles are clear, they are identified below. For those instances where specific roles are not clear, both agencies recognize the need for timely and open communication to identify and coordinate responsibilities, work activities and opportunities for joint actions. The joint planning process which follows will be utilized in those situations to determine roles.

State Role: Under federal programs that are delegated to the state, IDEM will continue to assume the lead role in compliance assistance, compliance assurance and enforcement, supported and assisted by U.S. EPA Region 5. IDEM will be responsible for identifying and resolving significant violations that it has detected in a timely and appropriate manner.

Multi-media compliance and enforcement activities will be coordinated through IDEM's Office of Enforcement. Multi-media compliance assistance activities will be coordinated through IDEM's Office of Pollution Prevention and Technical Assistance. The individual program offices will continue to coordinate single-media *compliance* activities with their media counterparts at U.S. EPA Region 5, while single-media *enforcement* activities will be coordinated through IDEM's Office of Enforcement.

Federal Role: As an environmental steward for the nation, U.S. EPA will work to ensure that national standards for the protection of human health and the environment are implemented, monitored and enforced consistently in all states. Region 5 may assist IDEM in conducting inspections and provide compliance and technical assistance to the state and its regulated entities. Specific federal responsibilities in the State of Indiana may include:

II. GENERAL PRINCIPLES FOR STATE/FEDERAL RELATIONSHIP

- ! Work on national priorities (e.g., multi-media inspections and Office of Enforcement and Compliance Assurance (OECA) Priority Sectors)
- ! Work on Regional priorities, including enforcement and compliance assistance in Region 5's Principal Places, as well as using this approach to accomplish the following: reduce toxics, especially mercury; slow urban sprawl, especially by promoting brownfields redevelopment; clean up sediments; protect and restore critical ecosystems; and protect people at risk, especially children and environmental justice communities.
- ! Ensure timely and appropriate enforcement in federal programs which are delegated to the state.
- ! Assure maintenance of a level playing field and national consistency across state boundaries (e.g., companies with significant company-wide non-compliance in several states).
- ! Address pollution which may cross state or U.S. borders (i.e., watersheds, air sheds, or other geographic units).
- ! Address criminal violations of federal law.
- ! Conduct multi-media inspections and enforcement at federal facilities.
- ! Take enforcement actions in non-delegated, partially-delegated or non-delegable programs.
- ! Take enforcement actions to assure compliance with federal consent decrees, consent agreements, federal interagency agreements, judgments and orders.

U.S. EPA Region 5 will coordinate with IDEM with regard to specific source initiatives or enforcement actions, prior to the initiation of the action, in accordance with the collaborative planning process outlined below. However, there may be emergency situations or criminal matters that require Region 5 to take immediate action (e.g., seeking a temporary restraining order). In those circumstances, the Region will consult with IDEM as quickly as possible following initiation of the action. While individual program activities will be coordinated on a program specific basis, multi-media activities will be coordinated through Region 5's OECA.

Collaborative Planning: In an effort to maximize their resources, U.S. EPA Region 5 and IDEM will work to capitalize on the strengths of each agency and will coordinate up-front their priorities for the state of Indiana. This will allow the agencies to regularly share information on potential and on-going compliance initiatives and enforcement activities in the state of Indiana, avoiding duplication of efforts and fostering mutual trust and respect. It will also provide IDEM an opportunity to have input into U.S. EPA's Memorandum of Understanding (MOU) between Region 5 and Headquarters before it is finalized.

In order to institutionalize this coordination effort, the following planning process will be implemented:

- ! Annual Kickoff Meeting of Compliance/Enforcement Managers from both agencies from all media. This meeting should be a two-part meeting, one part multi-media and one part for the individual media to break out. Both parts should address the following agenda items:
 - 1) Recommit to the objectives of joint planning and managing for environmental results;
 - 2) Explore the most effective application of the full spectrum of compliance tools;
 - 3) Share draft priorities and ideas for compliance initiatives;
 - 4) Identify areas of conflict or inconsistency and work toward resolution;
 - 5) Agree on joint, and separate, roles and responsibilities;
 - 6) Share successes and address challenges identified in self-assessments.

II. GENERAL PRINCIPLES FOR STATE/FEDERAL RELATIONSHIP

- ! Subsequent monthly or quarterly meetings of individual media compliance managers, individual media enforcement managers, and multi-media meetings as needed:
 - 1) Share progress/outcomes of initiatives;
 - 2) Continue work toward resolution of conflicts/challenges;
 - 3) Ensure IDEM input into U.S. EPA MOU negotiations between Region 5 and Headquarters.
- ! Throughout the year, informal communication will continue at the staff level, as necessary.

Performance Measurement and Oversight: As part of the national dialogue between U.S. EPA and the states regarding Core Performance Measures, additional Accountability Measures have been identified for compliance and enforcement. (See Appendix C.) Accountability Measures are to be used to review patterns and trends in noncompliance and to analyze program outcomes and outputs.

IDEM agrees to continue feeding compliance and enforcement activity data into the national data systems, which will provide the basis for Outcome Measures 1 and 2, and Output Measures 1, 2, and 3. However, due to the limitations of current information systems, IDEM is unable to provide results data for Outcome Measures 3 and 4, and Output Measure 4.

IDEM will work toward improving their data systems in order to provide additional enforcement results information in the future. U.S. EPA Region 5 will work toward focusing on whole program environmental performance, taking into account not only the number of activities conducted, but also the results of those activities, as the additional results information becomes available.

Both agencies agree to perform self-assessments in accordance with the Review and Assessment section of this agreement to evaluate our progress and identify challenges. The compliance and enforcement portions of those self-assessments will be discussed during the joint planning meetings. U.S. EPA Region 5 will use differential oversight and a range of responses to assess IDEM performance, moving toward the goal of increasing its use of periodic “system level” reviews and reducing “real time” reviews of individual actions.

B. Improved Data and Information Sharing

Improved data quality, data integration and information sharing will enable U.S. EPA Region 5 and IDEM to better manage environmental programs and achieve the results we have targeted in this agreement. Specific activities we will pursue during this agreement period are detailed in Appendix A under goal J. We agree that these activities should:

- ! Support the development of indicators and core performance measures and assess the trends they show.
- ! Improve our ability to assess the multiple environmental impacts of entire facilities that may contribute to Indiana’s environmental problems.
- ! Improve our spatial ability to analyze environmental conditions and identify pollution sources

III. IDEM'S PUBLIC INVOLVEMENT ACTIVITIES

that might have an impact on human health, ecosystems or economic development.

- ! Improve our staff's ability to access data that will aid in decision-making.
- ! Improve data analysis and sharing across programs.
- ! Improve electronic communications and linkages that will enhance our partnership to protect Indiana's environment.
- ! Improve processes to streamline environmental reporting for the regulated community, and evaluate and streamline current state reporting requirements for U.S. EPA program databases.
- ! Improve public access to information about environmental conditions, facility compliance records, and agency activities.
- ! Continue to submit timely and accurate data into existing regional/national databases.

III. IDEM'S PUBLIC INVOLVEMENT ACTIVITIES

IDEM has aggressively pursued the involvement of citizens, groups, and other government entities as it developed this agreement. During fiscal year 1997, we implemented a public involvement campaign which exceeded the scope of our commitments under the EnPPA. We implemented a three-tiered strategy to give all interested parties an opportunity to review and provide comments on our draft goals, objectives and indicators. The strategy included:

A. Partners for Indiana's Environment

The Partners for Indiana's Environment (PIE) was composed of volunteer members from IDEM's legislatively mandated boards and advisory panels. Of 120 invitees, 60 agreed to be members of PIE. Other individuals were invited to participate in an effort to attract more representatives of environmental groups and the general citizenry.

PIE met in four day-long working meetings to review drafts of IDEM's environmental and strategic goals, objectives and indicators. Through presentations and small group discussions, PIE participants offered valuable feedback to IDEM staff and managers. U.S. EPA Region 5 staff attended each of the meetings and were able to hear the issues and concerns of the participants, as well as assist in answering questions. These meetings were open to the public and advertised in the Indiana Register and the IDEM monthly calendar of events.

B. Regional Meetings and Presentations

IDEM offices have conducted many meetings with stakeholders to discuss goal development. These meetings included the regularly scheduled meetings of our agency's policy setting boards, such as the Water Pollution Control Board and the Clean Manufacturing Technology and Safe Materials Board. They also included meetings with other groups formed to deal with a more specific issue or program, such as the Hazardous Waste Compliance Advisory Group. Many managers and staff spent a significant amount of time discussing goals, objectives and indicators with stakeholders.

The Environmental Quality Services Council (EQSC) is IDEM's legislatively formed oversight

body. IDEM communicated regularly with EQSC members regarding the NEPPS process and the draft goals and objectives.

IDEM senior managers also made presentations to community groups, business seminars and other forums in order to offer a variety of customers an opportunity to participate in NEPPS. These presentations have been well received and will continue.

C. General Public Information and Involvement

One IDEM objective was to provide the general public with a better than average chance of being involved in the NEPPS process (i.e., providing information, as well as providing opportunities to comment). This was accomplished through a variety of mechanisms. For the more formal and legal audiences, we included some mention of NEPPS in the summer's editions of the Indiana Register. This has resulted in requests for information and draft documents.

Notices of NEPPS-related meetings and information availability also were included in the IDEM monthly calendar of events, which is distributed to approximately 300 individuals. Postcards were mailed to approximately 1,500 individuals and organizations, providing all the information for an interested person to be involved. IDEM also posted draft environmental goals, objectives and indicators on the Internet, and distributed a press release to print media around the state.

IDEM also included other state and federal agencies within Indiana in developing and discussing elements of this agreement. Representatives of other agencies served on the PIE group and have been part of other meetings that IDEM has attended.

IDEM will continue to work to improve our public outreach and involvement efforts. IDEM managers will continue to describe the impact of the agreement for their audiences, and encourage businesses and local communities to work toward statewide goals and objectives. We will continue to update board members on progress toward goals in this agreement and the development of the next one. We will continue to increase the partnership between IDEM and U.S. EPA Region 5 in communicating with and listening to the citizens of Indiana.

IV. ENVIRONMENTAL/STRATEGIC GOALS

A. Prevent Pollution

Vision: *All Indiana organizations use pollution prevention techniques as the preferred method for protecting the environment.*

Status: Indiana's businesses and communities have increasingly turned to pollution prevention to solve their environmental problems, especially when those problems involve the use of toxic chemicals. Pollution prevention is the preferred method of environmental protection in Indiana. It provides the most effective method to provide long-term protection to our environment. It also enhances the competitiveness of Indiana's businesses and the quality of our communities. IDEM aggressively promotes the use of pollution prevention.

IV. ENVIRONMENTAL/STRATEGIC GOALS

A.1 Environmental Objective:

Reduce environmental waste generation. Indiana organizations that use significant quantities of toxic chemicals reduce the amount of these chemicals in their environmental waste.

Indicator:

This objective will not have a distinct indicator. The indicator will be a composite of indicators for each outcome.

Outcomes:

- A.1.1** *Reduce environmental waste generation from manufacturers.* Manufacturers use pollution prevention to reduce their:
- Releases to the environment, including on- and off-site disposal, (as measured by the sum of Form R Section 8.1 releases) by 30 percent before 2001;
 - Generation of environmental wastes (as measured by the sum of Form R Section 8.1 to 8.7 waste management methods) by 20 percent before 2001. 1996 will be used as a baseline. Progress will be adjusted to exclude changes in production rates as reported on the Form R.

Indicator:

- Percent change in toxic chemical disposal and releases adjusted for changes in production rate
- Percent change in toxic chemicals in environmental waste adjusted for changes in production rate.

- A.1.2** *Use pollution prevention to implement new federal rules.* More than 90 percent of operations subject to federal National Emission Standards for Hazardous Air Pollutants (NESHAPs) use pollution prevention to achieve compliance.

Indicators:

- Percent of operations that reported using a pollution prevention technique as the primary compliance option in their NESHAP compliance certification.

- A.1.3** *Expand use of new technologies.* More than 75 manufacturing facilities will implement the Clean Manufacturing Technology and Safe Materials Institute's (CMTI's) formal pollution prevention recommendations before 2001.

Indicator:

- Number of completed case studies published by the Institute.

- A.1.4** *Promote pollution prevention at the local level.* More than 50 percent of the publicly owned treatment works (POTWs) with approved pretreatment programs will facilitate pollution prevention opportunity assessments for 25 percent of their significant industrial users (SIUs) before 2001.

Indicator:

- Percent of POTW pretreatment programs that have conducted assessments for 25 percent of their SIUs.

- A.1.5** *Integrate pollution prevention into new economic development projects.* Economic development projects will minimize toxic chemical and hazardous substance use, waste generation and the potential for accidental releases to the greatest extent practical.

Indicator:

- This outcome will not have an indicator.

A.2 Environmental Objective:

Integrate pollution prevention into business plans. Indiana organizations that generate significant quantities of environmental wastes voluntarily integrate pollution prevention into their business plans and compliance activities.

Indicator:

- This objective will not have a distinct indicator. The indicator will be a composite of indicators for each outcome.

Outcomes:

- A.2.1** *Use inherently safer technologies at facilities that pose a significant potential risk of serious accidental air release.* More than 50 percent of the facilities subject to Program III U.S. EPA Risk Management Planning requirements (Section 112(r) of the Clean Air Act) will voluntarily evaluate inherently safe technologies for its regulated toxic substances before 2001.

Indicator:

- Percent of facilities reporting under Section 112(r) of the Clean Air Act that have included the voluntary evaluation in their submission. *Information will not be available until 1998.*

- A.2.2** *Achieve highly efficient use of toxics and their substitutes in dry-cleaning operations.* More than 50 percent of dry-cleaners will consistently clean more than 450 pounds of clothing per gallon of perchloroethylene used before 2002. Clothes cleaned with non-toxic alternatives to perchloroethylene will be credited toward goal.

Indicator:

- Percent of dry-cleaners with a solvent mileage in excess of 450.

- A.2.3** *Use environmental management systems.* More than 50 industrial facilities in Indiana will have comprehensive environmental management systems (EMSs), such as ISO-14000, in place before 2001.

Indicator:

- Number of facilities with ISO-14001 third party certification or having an EMS that has been reviewed and accepted by IDEM as comprehensive.

B. Reduce Toxic Releases

IV. ENVIRONMENTAL/STRATEGIC GOALS

Vision: *Toxic releases into our environment are reduced to the greatest extent possible.*

Status: While much progress has been made, Indiana continues to have problems with toxics in the environment. It ranks in the top 10 on toxic chemical releases from manufacturers. The fish in many of its rivers and lakes have unacceptable levels of mercury and polychlorinated biphenyls. One out of ten of its youngest children have lead in their blood at levels that may impair their ability to learn. We periodically identify new problems as we better understand our environment. These problems are not confined to a single environmental media. Therefore, IDEM will approach its efforts to reduce toxic releases by considering all environmental media. This multi-media perspective allows the agency to balance priorities between programs and to avoid shifting toxics from one environmental media to another. The preferred approach to reducing toxic releases is pollution prevention.

B.1 Environmental Objective:

Reduce releases of toxic chemicals. Organizations that use significant quantities of toxic chemicals will reduce toxic chemical releases to the environment (excluding disposal in a permitted facility).

Indicator:

- This objective will not have a distinct indicator. The indicator will be a composite of indicators for each outcome.

Outcomes:

- B.1.1** *Reduce toxic chemical releases from manufacturers.* Manufacturers will reduce their:
- a. Releases of toxic chemicals 30 percent before 2001; and
 - b. Releases of targeted chemicals by 50 percent before 2001. 1996 will be used as a baseline.

Releases will be measured as the sum of the quantities reported in Section 5 of the Form R less item 5.5.1 relating to releases to a permitted landfill. The total will not be adjusted for production rate. Targeted chemicals includes chemicals designated under Form R as carcinogens and for persistent, bioaccumulative, and toxic chemicals designated by U.S. EPA.

Indicators:

- Percent change in toxic chemical releases. [CPM 7 and 8]
- Percent change in carcinogens and persistent, bioaccumulative, and toxic (PBT) chemicals releases.

- B.1.2** *Realize gains from air toxic control programs.* Businesses subject to control measures required by Section 112 of the Clean Air Act will be in full compliance with substantive requirements.

Indicator:

- To be developed

- B.1.3** *Reduce accidental releases.* Organizations will reduce the severity of accidental

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releases to the environment of hazardous substances in excess of the reportable quantity from stationary facilities.

Indicator:

- To be developed

- B.1.4** *Target toxic hot spots.* By 2000, all significant sources in areas of the state that have been found to have high ambient concentrations of toxic chemicals will have developed source specific reduction plans to reduce emissions of toxic chemicals.

Indicator:

- To be developed

B.2 **Environmental Objective:**

Reduce mercury contamination. Fish tissues will contain an average of 20 percent less mercury by 2007 when compared to 1996 levels.

Indicator:

- Percent change in average concentration of mercury in fish tissues.

Outcomes:

- B.2.1** *Reduce mercury in municipal wastewater.* Municipal wastewater treatment plants will reduce by 50 percent before 2002:

- a. The number of detections of mercury in incoming wastewater (influent) and
- b. The pounds of mercury contained in wastewater sludge based on 1996 levels.

Indicator:

- To be developed.

- B.2.2** *Organizations and individuals will use safer alternatives to mercury whenever feasible.*

Indicator:

- This outcome will not have an indicator.

- B.2.3** *State and local units of government will establish an infrastructure to more safely and effectively recycle products containing mercury.*

Indicator:

- This outcome will not have an indicator.

- B.3** **Environmental Objective:** *Reduce the contamination from lead, asbestos and polychlorinated biphenyls.* The release of lead, asbestos and PCBs will be reduced to the greatest extent practical.

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Indicator:

- This objective will not have a distinct indicator. The indicator will be a composite of indicators for each outcome.

Outcomes:

B.3.1 *Reduce polychlorinated biphenyl (PCB) contamination.* Before 2000, fish tissues will contain an average of 20 percent less PCBs when compared to 1996 levels.

Indicator:

- Percent change in average concentration of PCB in fish tissues.

B.3.2 *Reduce asbestos releases.* Facilities undergoing renovation or demolition will be assessed for the presence of asbestos and the asbestos abated as needed.

Indicator:

- To be developed.

B.3.3 *Reduce exposure to lead.* Reduce the levels of lead in children's blood.

Indicator:

- To be developed. [Although IDEM agrees with CPMs 36 to 38, currently we do not have the capability to accurately measure them.]

B.4 Environmental Objective:

Address hazards where the agency's regulated authority is not clear. Indiana's communities and businesses collectively address concerns with unregulated hazards and chemicals.

Indicator:

- This objective will not have an indicator.

Outcomes:

B.4.1 *Evaluate endocrine disruption hazards.* IDEM will provide organizations and potentially affected communities with technically sound and understandable information on endocrine disrupting chemicals.

Indicator:

- This outcome will not have an indicator.

B.4.2 *Educate the consumer.* Consumers will better understand the chemical hazards that may be posed by the use, storage and disposal of consumer products and take appropriate actions to protect themselves and their environment.

Indicator:

- This outcome will not have an indicator.

- B.4.3** *Promote environmental education.* The general public, including school children, will have a better understanding of the environment and sources of pollution so they can make decisions about pollution and take action to protect themselves and their environment.

Indicator:

- This outcome will not have an indicator.

C. Improve Indiana's Air Quality

Vision: *All of Indiana's air meets state and federal health-based air quality standards.*

Status: Like citizens in many other states, hundreds of thousands of Indiana residents are exposed to air that does not meet state or federal health-related standards. More than 1000 Indiana businesses each have the potential to emit more than 100 tons of a specific air pollutant per year, with many of those pollutants classified as toxic.

However, Indiana's air quality is improving. Only Lake County does not meet the standard for sulfur dioxide (Vigo, LaPorte, Marion and Wayne counties were redesignated to attainment within the past year). Vermillion County was redesignated to attainment for PM₁₀, leaving only Lake County in nonattainment of that standard. Five counties remain classified as nonattainment for the one-hour ozone standard: Lake and Porter with severe ozone nonattainment problems; Clark and Floyd with moderate problems; and Vanderburgh, which is marginal but has been proposed for redesignation by U.S. EPA Region 5.

Under the new eight hour ozone standard effective in September 1997, Indiana expects the following additional areas may be added to the nonattainment list: Indianapolis, South Bend/Elkhart; Terre Haute, and Fort Wayne. Decisions on nonattainment status will be made in 2000.

Because air quality monitoring for the new fine particulate standard, PM_{2.5}, is only just beginning, it is difficult to predict which areas within the state may be in nonattainment of that standard. Decisions on nonattainment status will be made beginning in 2003.

C.1 **Environmental Objective:**

By the year 2007, citizens in Northwest Indiana will have air that meets the 0.12 part per million National Ambient Air Quality Standards (NAAQS) for ozone.

Indicator:

- Change in monitored ozone values in relation to the health-based standard. Indicator data will be based on ambient air quality data. [CPM1]

Outcomes:

C.1.1 All businesses and individuals subject to volatile organic compound (VOC) control

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measures integral to meeting the ozone standard are in full compliance with substantive emission requirements as outlined in any applicable permit, rule, or other state VOC reduction measure.

Indicators:

- Permit compliance rates.
- Compliance with State Implementation Plan (SIP) requirements. [CPM4]

- C.1.2** By 2000, state agencies, local governments and the general public shall develop, through a cooperative effort, reduction strategies that, in combination with expected federal measures, will reduce 1996 emission levels from motor vehicles by 50 percent by 2007 and educate the public on alternative transportation options.

Indicators:

- Percentage of active participation in general citizen-oriented reduction activities as determined by surveys and screening activities.
- Emissions reductions associated with the increased use of alternative fuels and reductions in vehicle miles traveled (VMT). [CPM3]

- C.1.3** By 1999, 50 percent of the public will be aware of the impact of many of their everyday activities in meeting clean air goals.

Indicator:

- Annual surveys and screenings indicating the level of public awareness of air pollution issues. This may include number of inquiries made to Web page or surveys done on Web page.

- C.1.4** By 1999, businesses and the general public will participate in and assist with the implementation of new control measures needed to meet the current ozone standard, including at least a 9 percent reduction in VOC emissions by 1999.

Indicators:

- Necessary rules are in place and being implemented. [CPM4]
- Number of participants in a state cap & trade program.
- Annual reductions associated with the implementation of the cap & trade program; Sinter Plant rule, the federal National Emission Standards for Hazardous Air Pollutants (NESHAP) rules and other ozone control rules. [CPM3]

C.2 Environmental Objective:

By the year 1998, air quality in Clark and Floyd will improve as reflected by the number of exceedances of the 0.12 part per million standards for ozone that are due to local emissions.

Indicator:

- Change in monitored ozone values in relation to the health-based standard. Indicator will be based on ambient air quality data. [CPM1]

Outcomes:

- C.2.1** All businesses and individuals subject to volatile organic compound (VOC) control measures integral to meeting the ozone standard are in full compliance with the substantive emission requirements as outlined in any applicable permit, rule, or other state volatile organic compound (VOC) reduction program.

Indicators:

- Permit compliance rates.
- Compliance with State Implementation Plan (SIP) requirements. [CPM4]

- C.2.2** By 1999, 50 percent of the public will be aware of the impact of many of their everyday activities in meeting clean air goals.

Indicator:

- Annual surveys and screenings indicating the level of public awareness of air pollution issues.

- C.2.3** By 1999, businesses and the general public will participate in, and assist with, the implementation of any new control measures and strategies that are necessary to ensure that the area can be redesignated to attainment for the 0.12 part per million National Ambient air Quality Standard.

Indicators:

- Necessary rules or strategies are in place to reduce emissions. [CPM4]
- Additional VOC reductions are achieved from mobile, point and area sources. [CPM3]

C. 3 Environmental Objective:

Positively and aggressively maintain air quality for that portion of Indiana's population living in areas where air quality meets health-based standards.

Indicator:

- Percent of Indiana citizens living in areas of the state where air quality meets health-based standards. Indicator will be based on trends using ambient air quality and population data. [CPM1]

Outcomes:

- C.3.1** All businesses and individuals subject to control measures integral to meeting National Ambient Air Quality Standards are in full compliance with the substantive emission requirements as outlined in the applicable permit, rule, or other state air program.

Indicators:

- Permit compliance rates.
- Compliance with State Implementation Plan (SIP) requirements. [CPM4]
- Trends in ambient air quality data in relation to the National Ambient Air Quality Standards. [CPM3]

- C.3.2** By 1999, 30 percent of the public will be aware of the impact of their everyday

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activities in meeting clean air goals.

Indicator:

- Annual surveys and screenings indicating the level of public awareness of air pollution issues.

C.3.3 By 1998, businesses and others causing air-related “quality of life” complaints, as reported to IDEM, will have resolved a majority of those complaints through such mechanisms as facilitation, negotiation, or mediation.

Indicator:

- Quality of customer satisfaction with resolution (survey).

C.3.4 By 1999, or within one year of identifying a potential problem area, citizens groups, local government, industry, and the state will have cooperatively addressed any areas of the state where ambient air quality data indicates that the quality of air is approaching levels that could potentially exceed any of the health-based National Ambient Air Quality Standards (NAAQS).

Indicator:

- Trends in ambient air quality data. [CPM1]

C. 4 Environmental Objective:

By 1999, transport and regional pollution issues will be addressed in a state/regional pollution reduction plan.

Indicator:

- Reductions in ambient pollutant background levels. Data and analysis will be based on regional ambient air quality data. [CPM1]

Outcomes:

C.4.1 Beginning in 2000, all electric utilities and other large nitrogen oxide (NO_x) emission sources will take the necessary steps to reduce nitrogen oxide (NO_x) emission levels as determined by the process outlined by the Ozone Transport Assessment Group (OTAG) recommendations.

Indicator:

- Reduction in nitrogen oxide (NO_x) emissions as demonstrated by annual emission statements submitted by electric utilities and other large NO_x emission sources. [CPM5]

C.4.2 By 2000, all Phase I and Phase II acid rain sources will be in compliance with Title IV sulfur dioxide (SO₂) and nitrogen oxide (NO_x) reduction requirements.

Indicator:

- Anticipated sulfur dioxide (SO₂) and nitrogen oxide (NO_x) emission reductions are achieved.

C. 5 Environmental Objective:

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The new National Ambient Air Quality standards for ozone and particulate matter will be met in all areas of the state by the deadlines established by U.S. EPA.

Indicator:

- Number of violations of the new standards based on ambient air quality data. [CPM1]

Outcomes:

C.5.1 All businesses and individuals subject to control measures integral to meeting National Ambient Air Quality Standards are in full compliance with the substantive emission requirements as outlined in the applicable permit, rule, or other state air program.

Indicators:

- Permit compliance rates.
- Compliance with State Implementation Plan (SIP) requirements. [CPM4]

C.5.2 By 2003, in those areas of the state that do not meet the new ozone standard, the Office of Air Management (OAM) will coordinate with state agencies, local governments and the general public in the development of reduction strategies that in combination with expected federal measures will reduce 1996 emission levels from motor vehicles by 50 percent by 2007 and in the education of the public on alternative transportation options.

Indicator:

- Percent of active participation in general citizen-oriented reduction activities as determined by surveys and screening activities.

C.5.3 By 2005, identify areas with particulate matter (PM2.5) air quality problems and determine major sources of particulate matter (PM2.5) emissions that must develop control plans that are designed to insure the protection of the new fine particulate National Ambient Air Quality Standard.

Indicators:

- Plans in place and being implemented. [CPM4]
- Reductions in ambient PM2.5 and ozone values. [CPM1]

C.5.4 By 1999, 30 percent of the public will be aware of the impact of their everyday activities in meeting clean air goals.

Indicator:

- Annual surveys and screenings indicating the level of public awareness of air pollution issues.

C.5.5 Citizens groups, local governments, industry, and the state will have cooperatively developed additional emission reduction plans as necessary to meet the new PM2.5 by 2005 and ozone health-based air quality standards by 2003.

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Indicator:

- Necessary rules are in place to reduce emissions. [CPM4]
- Required reduction in emissions necessary to achieve compliance with the new National Ambient Air Quality Standards (NAAQS). [CPM3]

C. 6 Environmental Objective:

Positively and aggressively maintain air quality for that portion of Indiana's population living in areas designated as ozone maintenance areas.

Indicator:

- Decline in monitored ozone values in relation to the health based standard. Indicator data will be based on ambient air quality data. [CPM1]

Outcomes:

C.6.1 All businesses and individuals subject to control measures integral to meeting National Ambient Air Quality Standards are in full compliance with the substantive emission requirements as outlined in the applicable permit, rule, or other state air program.

Indicators:

- Permit compliance rates.
- Compliance with State Implementation Plan (SIP) requirements.

C.6.2 By 1999, 40 percent of the public will be aware of the impact of their everyday activities in meeting clean air goals.

Indicator:

- Annual surveys and screenings indicating the level of public awareness of air pollution issues.

D. Restore and Protect Indiana's Surface Water

Vision: *Indiana's surface waters provide a safe source of water for recreation, aquatic life, and wildlife, as well as for public water supplies.*

Status: Indiana has 90,000 miles of river, streams and other waterways; 106,203 acres of public lakes and reservoirs; and roughly 700,000 acres of wetlands that must be protected. Indiana also borders on one of the worlds most important freshwater resources: Lake Michigan and the Great Lakes system. To enhance and maintain our surface water resources, we have established ambient water quality standards for about 100 substances. In addition, we are working towards developing an Indiana law to protect and restore wetlands (i.e. incorporation of 401 certification into a rule). All surface waters in Indiana must meet water quality standards by 2005.

D.1 Environmental Objective:

85 percent of Indiana's surface waters support a well balanced aquatic community by 2007.

Indicator

- Percent of assessed water bodies that protect public health and the environment by supporting healthy aquatic life use designations.

[CPM58]

- Macroinvertebrate Index of Biotic Integrity

- Fish Index of Biotic Integrity

- Percent of assessed rivers with healthy aquatic communities [CPM59]

- Percent change of selected substances found in surface waters [CPM60]

Outcomes:

D.1.1 90 percent of National Pollutant Discharge Elimination System (NPDES) permit holders comply with their updated NPDES limits by 2003.

Indicators:

- Percent of watersheds with toxic pollutant loadings at or less than permitted limits [CPM61]

- Number of stream segments showing quality benefits as a result of Clean Water State Revolving Fund investments [CPM63]

- Significant non-compliance rates quarterly on all dischargers

D.1.2 All National Pollutant Discharge Elimination System (NPDES) permit holders with combined sewer overflow (CSO) requirements comply with CSO management control measures by 2002.

Indicators:

- Percent of facilities implementing wet weather control measures. Where available, report the annual pollutant loadings of key parameters associated with wet weather sources. [CPM62]

- Number of submittals and approvals of combined sewer overflow plans.

D.1.3 All combined sewer overflow impacts are eliminated in a pilot watershed by 2002.

Indicators:

- *E. coli* levels

- Dissolved oxygen levels

- Sedimentation

D.1.4 Citizen groups and local governments develop plans to protect water quality in five additional watersheds by 2003.

Indicators:

- Number of watersheds that have plans developed

D.1.5 Public and private entities are implementing appropriate best management practices (BMPs) in five additional watersheds by 2003.

Indicator:

- Number of BMPs implemented

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- D.1.6** Public and private entities preserve existing acreage of wetlands adjacent to other water bodies and increase this adjacent wetland acreage by 100 acres by 2002.

Indicator:

- Number of adjacent wetlands created or restored

D. 2 Environmental Objective:

40 percent of Indiana's surface waters will support designated recreational uses by 2007.

Indicators:

- Bacterial monitoring for E. coli
- Number of beach closings

Outcomes:

- D.2.1** 90 percent of National Pollutant Discharge Elimination System (NPDES) permit holders comply with their updated NPDES limits by 2003.

Indicator:

- Significant non-compliance rates/quarter on all dischargers

- D.2.2** All National Pollutant Discharge Elimination System (NPDES) permit holders with combined sewer overflow (CSO) requirements comply with CSO management control measures by 2002.

Indicator:

- Number of submittals and approvals of combined sewer overflow (CSO) plans

- D.2.3** All combined sewer overflow impacts are eliminate in a pilot watershed by 2002.

Indicators:

- E. Coli levels
- Dissolved Oxygen levels
- Sedimentation

- D.2.4** Citizen groups and local governments develop and implement plans to protect water quality in five additional watersheds by 2003.

Indicators:

- Number of watersheds that have plans developed
- Number of watersheds where plans have been implemented

- D.2.5** Public and private entities implement appropriate Best Management Practices (BMPs) in five additional watersheds by 2003.

Indicator:

- Number of BMP's implemented

- D.2.6** 25 percent increase in the number of watercraft sewage pump-out stations installed at marinas by 2000.

Indicator:

- Number of constructed pump out stations

D.3 Environmental Objective:

Indiana's wetland resources will be increased by 1000 acres by 2007.

Indicators:

- Number of wetland acres restored or created
- Number of wetland acres lost
- Ratio of successful/unsuccessful mitigations

Outcomes:

D.3.1 Citizen groups and local governments develop and implement plans to protect water quality in five additional watersheds by 2003.

Indicators:

- Number of watersheds that have plans developed
- Number of watersheds where plans have been implemented

D.3.2 Public and private entities implement appropriate best management practices (BMPs) in five additional watersheds by 2003.

Indicator:

- Number of BMP's implemented

D.3.3 Public entities preserve existing acreage of adjacent wetlands and increase adjacent wetland acreage by 100 acres by 2002.

Indicators:

- Number of wetland acres restored or created
- Number of wetland acres lost
- Ratio of successful/unsuccessful mitigation

D.3.4 All existing wetland acreage lost will be replaced by an average of 2:1 ratio by 2000.

Indicators:

- Number of wetland acres restored or created
- Number of wetland acres lost
- Ratio of successful/unsuccessful mitigation

E. Protect Indiana's Ground Water

Vision: *Ensure that Indiana's ground water sources are protected.*

Status: Ground water supplies approximately 60 percent of Indiana's public water supplies. It is used as the primary drinking water source for more than 500,000 homes, as well as a supply for irrigation, industrial processes, and livestock watering. Ground water faces many present-day

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threats, namely releases from industrial facilities and landfills.

E.1 Environmental Objective:

By 2005, groundwater in 75 percent of the hydrogeologic settings identified as being vulnerable to pesticides, or determined to be susceptible to contamination are protected for beneficial uses.

Indicators:

- Trends in concentrations and occurrence of pesticides and nutrients in monitored hydrogeologic settings
- Number of private wells impaired by ground water contaminations
- Trends in occurrence and concentrations of other contaminate in monitored hydrogeologic settings
- Indicator to be developed

Outcomes:

E.1.1 All facilities in known vulnerable hydrogeologic settings implement appropriate plans to protect ground water by 2003.

Indicators:

- Number of underground storage tanks (and underground storage tank facilities) meeting EPA and state requirements for leak detection, spill containment, overfill prevention, and corrosion protection.[CPM 54 and 55]
- Number of landfills with proper liners
- Number of dry cleaners using pollution prevention

E.1.2 90 percent of subsurface dischargers regulated by IDEM are in compliance with discharge permits by 2003.

Indicators:

- Number of constructed wetlands with sub-surface discharge permitted by IDEM are in compliance.
- Number of other sub-surface dischargers in compliance

E.1.3 By 2003 all pesticides covered by the State Management Plan development by the Office of the Indiana of State Chemist are applied in compliance with the State Management Plan.

Indicator:

- Number of pesticide application violations are reported by Indiana Office of State Chemist

F. Ensure Safe Drinking Water

Vision: *All Indiana's drinking water sources are safe, clean, and environmentally sound.*

Status: Surface water supplies, derived from both surface and ground water resources, provide

potable water for Indiana's more than five million citizens. Over 40 percent of drinking water supplies are derived from surface water sources, such as lakes, streams, and reservoirs. Ground water supplies approximately 60 percent of public water supplies. As Indiana continues to grow, its citizens will continue to depend on a clean, healthy supply of drinking water.

F.1 Environmental Objective:

By 2005, 99 percent of the population served by public water supply systems will have water that meets Safe Drinking Water standards.

Indicators:

- Number and percentage of community water systems (and population served) with one or more violations of health-based requirements during the year, reported separately for violations of total coliform rule (TCR), surface water treatment rule (SWTR), nitrate, lead and copper rule, and all other regulated contaminants. [CPM 64]

Indicators (cont.):

- Percentage of community and non-transient, noncommunity public water systems (and population served) with lead levels in drinking water exceeding the action level in lead and copper (LCR) regulation. [CPM 66]
- Population served by, and number of community and non-transient, noncommunity public water systems with detectable concentrations of pesticides (Reported separately for ground water and surface water systems).
- Population served by, and number of community and non-transient, noncommunity public water systems which exceed pesticide maximum contaminant levels (MCLs) or health advisories (Reported separately for ground water and surface water systems).
- Population served by, and number of public water systems which exceed 50percent of the nitrate MCL (Reported separately for ground water and surface water systems).
- Population served by, and number of public water systems which exceed the nitrate MCL (Reported separately for ground water and surface water systems).

Outcomes:

F.1.1 All Public Water Supply Systems (PWSS) meet regular monitoring and reporting standards consistently by 2000.

Indicators:

- Number, percentage, and population served by public water systems with monitoring and reporting violations (reported separately for the total coliform rule (TCR), surface water treatment rule (SWTR), nitrates, total trihalomethanes (TTHM), lead and copper rule (LCR), Radionuclides, and chemical contaminants (VOCs and SOCs).

F.1.2 All new and existing public water supply systems (PWSS) possess the technical, financial and managerial capacity to comply with drinking water standards by 2002.

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Indicator:

- Number, percentage, and population served by public water supply systems which possess a certified operator in direct responsible charge of the water system during all hours of operation.

- F.1.3** All community public water supply systems (PWSS) develop phase I wellhead protection (WHP) plans by 2002.

Indicator:

- Number, percentage, and population served by community public water supply systems (utilizing ground water as the source of supply) with approved phase 1 wellhead protection programs.

- F.1.4** Where appropriate, best management practice's (BMP's) are installed to control pesticide, nutrient, pathogen, and sediment contamination in 25 percent of high priority source water areas by 2005.

Indicators:

- Number of BMPs installed to prevent pesticide, nutrient, pathogen, and sediment contamination, and population served by the public water supply system, and BMP installed, in high priority source water protection areas.
- Percentage of assessed rivers, streams, and reservoirs, designated for drinking water use that fully support use as a drinking water supply [CPM 65]

- F.1.5** All surface public water supply systems (PWSS) participate in the "Partnership for Safe Water" program to optimize treatment processes by 1999.

Indicators:

- Number and percentage of surface water public water supply systems (and population served) which employ filtration, in compliance with 327 IAC 8-2-8.5.
- Number and percentage of surface water public water supply systems (and population served) which are participating in the "Partnership for Safe Water" program.

- F.1.6** All public water supply systems (PWSS) use appropriate cross connection controls by 2002.

Indicator:

- Number and percentage of public water supply systems (and population served) which have approved cross-connection control programs.

- F.1.7** Local planning teams formed in 100 percent of source water areas to promote source water protection by 2001.

Indicator:

- Number, percentage, and population served by public water systems which have formed local planning teams in identified source water protection areas.

- F.1.8** 50 percent of public water supply systems (PWSS), not in compliance with health or technical-based requirements, will seek operator and technical assistance or apply for state revolving fund (SRF) loan by 2003.

Indicators:

- Number, percentage, and population served by public water systems eligible for drinking water state revolving fund (DWSRF) loans which are not in compliance with acute and chronic drinking water standards who have applied for DWSRF loans.
- Number, percentage, and population served by public water systems eligible for DWSRF loans which are not in compliance with technical standards for adequate pressure and volume who have applied for DWSRF loans.

- F.1.9** By 2003 all public water supply systems (PWSS) implement programs to protect source water.

Indicators:

- Number of community water systems (and population served) that provide drinking water that meets all standards as a result of implementing the drinking water state revolving fund (project and set-aside funds). [CPM 67]
- Number and percentage of community water systems (and population served) with ground water or surface water protection programs in place. [CPM 68]
- Number, percentage, and population served by public water systems which have applied for DWSRF loans to develop local source water protection plans.

G. Focus On Northwest Indiana

Vision: *Northwest Indiana's air is safe to breathe; its water is safe for swimmers, fish, wildlife and the public water supply; and its land is restored for productive use for the citizens of Lake, Porter and LaPorte counties.*

Status: Although we must protect all of Indiana's environment, the environmental problems of some geographic areas pose such significant threats to human health and the surrounding ecosystem that they should receive priority attention. Indiana's first such geographic initiative is Northwest Indiana, where industrialization brought not only prosperity, but also some of our greatest environmental challenges. Lake and Porter counties have severe problems meeting federal clean air standards. The Grand Calumet River and Indiana Harbor Ship Canal contain 35 million cubic yards of severely contaminated water and sediments. In the past, millions of gallons of inadequately treated wastewater entered the river and harbor each year. The region also has six Superfund sites, dozens of leaking underground storage tanks, and many other potential cleanup sites, which limit productive use of the land. These problems require a coordinated approach by U.S. EPA Region 5 and IDEM.

G.1 **Strategic Objective:**

Minimize toxic and conventional pollutants into Lake Michigan from the Area of Concern.

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Indicators:

- Fish Tissue Analysis:

This analysis consists of collecting fish (a variety of size classes) and analyzing them for contaminants (metals, PCBs, pesticides, PAHs, etc.). The results of this analysis should show a decrease in the contaminant level in the fish over time. A decrease in contaminant levels in fish should also lead to a decrease contaminant level in other wildlife in the area (e.g., the animals that would eat the fish). The actual indicator level will be developed in an update to the Remedial Action Plan, Stage II document.

- Sediment and Water Chemical Analysis:

This analysis consists of collecting water and sediment and analyzing both fractions for contaminants of concern (e.g., metals, PCBs, pesticides, PAHs, *E. Coli.*, etc.) The results of this analysis should show a decrease in the contaminant levels both in the water and the sediment over time and show a decrease in the percentage of samples exceeding criteria limits for human health and aquatic life. This could also lead to an eventual decrease in contaminant levels up the food chain.

Indicators (cont):

- Bird/Animal Deformity Analysis:

This analysis consists of bird collection for physical characteristic analysis (e.g., cross-bill syndrome) and egg collection for physical characteristic analysis (e.g., egg-shell thinning) and chemical analysis. The results of this analysis should show a decrease in the contaminant levels in the birds. This would indicate a decrease in contaminant levels in the environs surrounding their roosting area.

- Macrobenthic Community Analysis:

This analysis consists of placing artificial substrates in the river and collecting them after a prescribed time and counting and identifying the organisms that colonized the substrates. The results of this analysis should show an increase in the number of species in the river as well as the presence of pollution intolerant species.

- Phytoplankton and Zooplankton Community Analysis:

This analysis consists of water collection with specialized nets to capture phytoplankton and zooplankton. An increase in these communities over time should result as the contaminants are removed.

- Qualitative Habitat Evaluation:

This analysis requires someone going out in the field using a specialized scoring system and rating the habitat. This determines if organisms (e.g., bugs, fish, birds, etc.) are not there due to contaminant levels or a habitat effects. This would assist in not making incorrect assumptions (i.e., organisms not there; therefore, it is toxic).

- Sediment Toxicity and Bioaccumulation Analysis:

The toxicity analysis requires the collection of sediment and exposing that sediment under laboratory conditions to test species. These test species are organisms generally found in aquatic environments. The Bioaccumulation analysis requires the collection of sediment and exposing an organism to that sediment, and after a prescribed period of time, analyzing that organism to see how much and what contaminants it accumulated. This type of analysis shows that contaminants move up (as well as increase in levels) the food chain. The results of this analysis should show a decrease in toxicity (less organisms dying or exhibiting toxic effects). The bioaccumulation should show that the organisms are accumulating contaminants at much lower levels.

Outcomes:

- G.1.1** Contributors shall develop strategies to reduce critical pollutants identified in the Lakewide Area Management Plan (LaMP).
- G.1.2** Contributors shall minimize or eliminate loadings of conventional pollutants into the Grand Calumet River and Lake Michigan.

G. 2 Strategic Objective:

Remediate contaminated sediments in the Grand Calumet River and the Indiana Harbor Ship Canal within the Area of Concern as defined by the International Joint Commission.

Indicators:

- Fish Tissue Analysis.
- Sediment and Water Chemical Analysis.
- Bird / Animal Deformity Analysis.
- Macrobenthic Community Analysis.
- Phytoplankton and Zooplankton Community Analysis.
- Qualitative Habitat Evaluation.
- Sediment Toxicity and Bioaccumulation Analysis.

Outcomes:

- G.2.1** The U.S. Army Corps of Engineers (Corps) will finalize the Sediment Cleanup and Restoration Alternatives Project (SCRAP).
- G.2.2** The Corps will finalize the feasibility report and the final environmental impact statement for the Indiana Harbor Ship Canal Maintenance Dredging and Disposal Project, and begin construction of the confined disposal facility.
- G.2.3** The United States Steel Corporation will begin the dredging of transects 1 - 36 of the Grand Calumet River by October, 2001.
- G.2.4** Studies will be undertaken by DuPont; Inland Steel at Roxana Marsh; Gary Sanitary District at the Ralston Street Lagoons; and the Marquette Lagoons.
- G.2.5** Contributors will address sediment outside the Ship Canal based on IDEM/SCRAP recommendations.
- G.2.6** The Grand Calumet River Restoration Fund will be used to address sediment contamination in the Grand Calumet River in accordance with the trust guidelines.

G.3 Strategic Objective:

Remediate, restore, and protect the stable, healthy and viable ecosystem in the Area of Concern.

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Indicators:

- Fish Tissue Analysis.
- Sediment and Water Chemical Analysis.
- Bird / Animal Deformity Analysis.
- Macrobenthic Community Analysis.
- Phytoplankton and Zooplankton Community Analysis.
- Qualitative Habitat Evaluation.
- Sediment Toxicity and Bioaccumulation Analysis.

Outcomes:

G.3.1 The International Joint Commission will complete review and approval of IDEM's Stage II Remedial Action (RAP) Plan by December 1997.

G.3.2 Customers in Northwest Indiana who exchange data with IDEM will purchase Geographic Information Software to develop databases that are compatible with IDEM's to track environmental performance.

G.3.3 Governmental entities, municipalities, and industries in the Area of Concern will identify and include, in their construction plans, potential impacts to the fourteen impaired uses.

G.3.4 IDEM will Consider the development of projects associated with the Water Resources Development Act in the Stage II Remedial Action Plan process.

G.4 Strategic Objective:

Facilitate and implement community based environmental protection, incorporating partnerships with stakeholders.

Indicator:

- To be developed.

Outcomes:

G.4.1 Representatives of children and other citizens participate in partnerships that address environmental protection.

G.4.2 Participants in cumulative and comparative risk workshops will prioritize environmental risks in the Area of Concern.

G.4.3 The cities of East Chicago, Gary and Hammond will select and evaluate pilot sites for Brownfield redevelopment by October 2000.

G.5 Strategic Objective:

Provide multi-media coordination (air, water, and waste) within case management procedures to

reach environmental improvements in a more efficient manner.

Indicator:

- To be developed.

Outcome:

G.5.1 Five industries in Northwest Indiana will participate in a pilot multi-media initiative for improving environmental performance by 1998.

H. Reduce And Safely Manage Waste

Vision: *Minimize waste disposal while assuring proper management and handling of wastes.*

Status: It is expected that by the end of 1997 there will be 37 operating municipal solid waste landfills in Indiana. Seven (7) landfill sites are closing or have closed in 1997 to avoid more stringent closure requirements which go into effect January 1, 1998. In addition, the more stringent closure requirements have encouraged landfills to close out old areas of their landfills and develop new areas. This activity is consistent with our goals to move as much waste disposal into lined landfill cells as possible. There are indications that Indiana continues to increase the amount of waste diverted from disposal but accounting for which specific activities are occurring to cause this increase is difficult to determine.

In the hazardous waste area the number of large quantity generators has fluctuated over the last several years but generally the trend is toward a decrease in the number of such generators. This is largely due to efforts by companies to reduce and recycle their waste as well as treat it to render it non-hazardous. As a consequence there is a growing concern with the amount of hazardous waste that is managed in ways which are exempt from hazardous waste regulations. Staff will be investigation this activity further to assure that such wastes are being managed in environmentally sound ways.

H.1 Strategic Objective:

Improve waste handling and management practices.

Indicator:

- Percent of mismanagement incidents by facility type.

Outcomes:

H.1.1 95 percent of solid waste which is disposed in Indiana municipal solid waste (MSWLF) landfills will go into areas with composite liners by the year 2001.

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Indicator:

- Percentage of waste disposed in landfills into areas with liners

- H.1.2** Complete cleanup of 4 high priority tire dumps and take necessary steps to initiate cost recovery if IDEM expended tire fund monies for the cleanup.

Indicator:

- Percentage of tires and tire dumps eliminated

- H.1.3** 50 percent of the currently known on-site industrial waste disposal sites will have a final permit or undergo closure, by the year 2001.

Indicator:

- Percentage of on-site notifiers who have a permit or have closed.

- H.1.4** Reduce animal waste spills which reach a surface water body

Indicator:

- Total volume of spills, calculated annually.

- H.1.5** Eliminate hazardous waste that exits the hazardous waste management system without control strategies in place, by the year 2001.

Indicator:

- Amount of hazardous waste that exits the hazardous waste management system without control strategies.

- H.1.6** Reduce the number of major/significant violations to one or less per year at 90 percent of solid waste (SW) landfills.

Indicator:

- Number and type of violations compared to number of inspections.

- H.1.7** Reduce the number of major/significant violations per inspection at large quantity generators (LQGs).

Indicator:

- Average number of major/significant violations per inspection. [CPM42]

- H.1.8** Reduce the number of major/significant violations per inspection at hazardous waste (HW) treatment, storage and disposal (TSD) facilities.

Indicator:

- Average number of major/significant violations per inspections.

- H.1.9** High priority hazardous waste facilities, subject to corrective action will be addressed through federal/state permitting or enforcement actions.

Indicator:

- IDEM and EPA will work together to develop indicators for Corrective Action measures. [CPM46]

H.1.10 Increase the number of permitted solid and hazardous waste facilities (subject to ground water corrective actions) to develop, initiate and continue progress with their corrective action plans.

Indicator:

- Percentage of effective corrective action plans implemented.

H.1.11 Eliminate 40 percent of the open dumps by the year 2001.

Indicator:

- Percentage of open dumps eliminated.

H. 2. Strategic Objective:

Reduce land disposal of hazardous waste by maximizing the implementation of the pollution prevention hierarchy of reduce, reclaim and treat.

Indicator:

- Amount of hazardous waste disposed.

Outcomes:

H.2.1 Reduce the amount hazardous waste generated by large quantity generators (LQGs).

Indicator:

- Amount and type of hazardous waste generated.

H.2.2 Reduce the most persistent, bioaccumulative and toxic (PBT) compounds by decreasing the quantity and toxicity of hazardous waste generated.

[Note: B.1.1 includes outcomes to reduce the quantity of persistent, bioaccumulative and toxic (PBT) compounds released.]

Indicator:

- IDEM and EPA will work together to develop indicators for persistent, bioaccumulative and toxic (PBT) compounds. [CPM 53 and 54]

H.3 Strategic Objective:

Reduce municipal and non-municipal solid waste final disposal by 50 percent of 1992 total by the year 2001.

Indicator:

- Tons of solid waste disposed and incinerated per year by waste type, adjusted for changes in population..

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Outcomes:

H.3.1 75 percent of Indiana's residents will have direct access to broad recycling opportunities within 8 miles of their home by the year 2000.

Indicator:

- Area of service on state map, as percentage of total area of state. Population serviced as percentage of total state population.

H.3.2 30 percent of cities and towns will achieve a 50 percent waste reduction by the year 2000.

Indicator:

- Number of cities and town reaching a 50 percent waste reduction level.

H.3.3 Of the five largest solid waste generators in each county, waste assessments will be performed at 50 percent by the year 2001.

Indicator:

- Number of identified waste generators that have conducted waste assessments.

H.3.4 Half of the 50 largest property management companies will provide source reduction and recycling for their tenants by the year 2000.

Indicator:

- Number of identified office property management companies providing source reduction/recycling opportunities.

H.3.5 Reduce coal ash and foundry sand disposal by 25 percent of 1996 totals by the year 2000.

Indicator:

- Tons of coal ash and foundry sand disposed per year.

H.3.6 Reduce final disposal (landfilling and incineration) of biosolids by 25 percent of 1995 totals by the year 2000.

Indicator:

- Total tons of biosolids disposed per year.

H.3.7 Reduce construction-demolition (CD) waste going to CD sites and municipal solid waste landfills (MSWLFs).

Indicator:

- Tons of construction-demolition (CD) waste disposed per year.

H.3.8 Reduce per capita municipal solid waste final disposal by 10 percent of 1992 total by the year 2001.

Indicator:

- Tons of municipal solid waste disposed and incinerated per year, per person.

I. Clean Up Contaminated Sites

Vision: *The cleanup of contaminated sites from previous generations is completed and our land and water resources are returned to productive use.*

Status: Indiana contains areas where hazardous substances, petroleum products and/or other pollutants pose an actual or perceived threat to human health and the environment through contamination of the ground water, surface water, soils, sediments and/or air. There are also areas where the presence of actual or perceived contamination interferes with beneficial reuse of abandoned properties. Examples include aging dumps, abandoned industrial properties (brownfields), abandoned landfills, active industrial properties, mining operations, leaking underground storage tanks, pipelines and refineries. We must continue to address these existing sites by reducing or controlling the risks to the local community, especially children and local ecology. We recognize the importance of ensuring that the citizens of Indiana, especially low-income and minority communities, have full access to the agency's decision-making process and do not suffer disproportionate effects from the environmental decisions made by IDEM. We will be sensitive to any special needs (such as language or access to public meetings) that these communities may face in order to assist them in full participation in all environmental decisions the agency makes that may affect their communities.

I.1 Strategic Objective:

Reduce or manage threats to human health and the environment.

Indicator:

-Status chart of all sites in various cleanup program areas (Emergency Response, Site Investigation, Immediate Removals, Superfund, State Cleanup, Defense Environmental Restoration Program, Voluntary Remediation Program, Brownfields and Leaking Underground Storage Tanks) [CPM 50, 51 and 52 will be included in Leaking Underground Storage Tank status chart]

Outcomes:

I.1.1 Increase reclamation of contaminated parcels of property through non-enforcement activities.

Indicators:

-Number of sites participating in non-enforcement programs.
-Number of sites where threats have been reduced or managed, as indicated by Certificates of Completion, No Further Action Determinations, or concurrence with transfer of parcels.

I.1.2 Increase cooperation of responsible parties in compelled cleanups and effectively manage sites funded through IDEM or U.S. EPA Region 5.

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Indicators:

- Number of sites where threats have been reduced or managed.
- Percent of potentially responsible party-lead sites. (Baseline is the total universe of enforcement lead sites where potentially responsible parties have been identified)
- Length of time from notification (by IDEM, U.S. EPA Region 5 or potentially responsible party) to initiation of cleanup.

I.1.3 Communities are increasingly involved and influence cleanup decisions.

Indicators:

- Number of organized groups
- Number of fact sheets published
- Number of public meetings/participants
- Number of notifications made

I.2 Strategic Objective:

Increase protection and restoration of critical habitat.

Indicators:

- Number of sites where pre-assessment is complete
- Number of sites where assessment is complete
- Number of sites with a settlement
- Number of sites with completed restoration activities
- Number of acres restored, rehabilitated, replaced or acquired to address injured resources

No Outcomes (See Appendix A with Agency Activities).

J. Continuously Improve IDEM

Vision: *In all activities, we are fair, consistent, professional, accountable and deserving of the public's trust. We continuously improve the products and services we provide to protect our environment. IDEM and U.S. EPA Region 5 work in partnership to achieve measurable goals and objectives for Indiana's environment.*

Status: IDEM is an agency created to serve the public by preventing environmental problems and solving those that do occur through the efficient and effective use of state resources. To do this, we must continuously improve the services we provide by increasing our efficiency, serving our customers, and focusing on the environmental results set forth in the preceding goals and objectives.

While all IDEM offices have activities that contribute toward continuously improving IDEM, the objectives, outcomes and activities under this goal describe some of the cross agency initiatives that are specifically targeted toward improving our services to the public. This goal also describes some of the special initiatives underway to respond to recommendations of the Environmental Quality Service Council, a legislatively created body that oversees IDEM's planning, budgeting and accountability to the public.

J.1 Strategic Objective:

Increase Efficiency. Improve IDEM administrative effectiveness and efficiency to ensure the best use of the public resources entrusted to the agency.

Indicator:

- Qualitative report of progress.

Outcomes:

J.1.1 Enable IDEM managers to access tools that improve agency processes, information management, and fiscal decision-making.

J.1.2 Maintain a work environment that retains quality performers. Improve accurate measurements of employee performance.

J.2 Strategic Objective:

Improve Customer Service. IDEM customers will demonstrate increasing satisfaction with the services the agency provides.

Indicator:

- Trends in responses to the following EQSC Survey questions:
 - A) How would you compare the quality of service of IDEM today with the quality of service one year ago?
 - B) In your contacts with IDEM staff members, were they professional, technically competent, and courteous?

Outcomes:

J.2.1 Increase the public's access to quality information through a variety of means, including the Internet, publications, faxback, Enviroline, the Indiana Register and public file rooms.

Indicator:

- Surveys.

J.2.2 Measure and improve customer satisfaction among those IDEM regulates or protects.

Indicator:

- Response to the EQSC survey (among permit applicants and citizens participating in permitting) asking: "How would you compare the quality of service of IDEM today with the quality of service one year ago?"
- Response to the EQSC Survey (among permittees) asking: "Do you believe that IDEM's technical assistance efforts have significantly improved in the past year?" (Also see other compliance indicators noted throughout the goals.)

J.2.3 Increase industry compliance rates and decrease pollution by improving efficiency and effectiveness of IDEM compliance programs.

Indicator:

- To be developed

J.3 Strategic Objective:

Manage for Environmental Results. During 1998-1999, IDEM will implement a management system based on achieving measurable environmental results to focus on solving Indiana's most important environmental problems.

Indicators:

- Qualitative description of progress
- State of the Environment Report, which will contain indicators showing the status, changes, and trends in the conditions of Indiana's environment.

Outcomes:

J.3.1 Increase collaborative partnerships among IDEM, local governments, citizens, and businesses to solve environmental problems consistent with local priorities and IDEM's goals and objectives.

Indicator:

- Qualitative description of progress

J.3.2 Increase communication, joint planning, information and technology sharing among universities and state and local government agencies that have an impact on Indiana's environment.

Indicator:

- Qualitative description of progress

V. REVIEW/ASSESSMENT PROCESS

The review and assessment process for this agreement and the performance partnership grant will provide a forum for meaningful, face-to-face communication between IDEM and U.S. EPA Region 5. The process will:

- ! Measure and analyze the environmental and programmatic results;
- ! Recognize and reward success in achieving environmental results;
- ! Identify emerging issues, environmental trends and areas and strategies for improvement;
- ! Provide flexibility in both form and substance, as warranted by program performance;
- ! Seek to eliminate duplicative or unnecessary efforts and reporting;
- ! Provide an accountability mechanism for evaluating and maintaining national consistency, while allowing for differences among individual state programs;
- ! Respond with appropriate solutions, which may include redirecting goals and resources; obtaining federal assistance; or increasing federal oversight and involvement in the management of delegated programs; and
- ! Encourage IDEM to find innovative program implementation alternatives, as long as the

V. REVIEW/ASSESSMENT PROCESS

desired result is achieved.

The success of this agreement relies upon clear, constructive communication and the commitment of the IDEM and U.S. EPA Region 5 to work together to solve problems and improve the programs. If any differences on specific issues or problems arise, IDEM and U.S. EPA Region 5 will move quickly to resolve them at the staff level or elevate the issue through the dispute resolution process described in Section VI.

To facilitate frequent and open communication we will:

- ! **Hold Conference Calls Quarterly.** In order to share ideas, progress and plan program activities, conference calls will be held quarterly for each of the environmental/strategic goals. By November 1, 1997, IDEM and U.S. EPA Region 5 will identify the managers responsible for convening the calls and developing the agendas. Both the IDEM and U.S. EPA Region 5 may contribute topics for the agenda. Less formal ongoing communication during the agreement period is encouraged.
- ! **Hold Partnership Meetings Semiannually.** IDEM and U.S. EPA Region 5 will meet twice a year to assess progress on each environmental/strategic goal. IDEM and U.S. EPA Region 5 will work together to set the agenda and exchange appropriate materials for discussion, including areas for improvement, successes in implementation, progress toward the goals, objectives and outcomes in the agreement, review of core performance measures and other issues that will impact the agreement (i.e., new legislation or policies). After the meeting, notes will be prepared and distributed which highlight the issues discussed, including the next steps and any proposed amendments to this agreement. Meeting notes and materials will serve as documentation of progress under the agreement. The meetings will be held during April and October of each year. Participants will include staff and managers responsible for achieving the objectives under the environmental/strategic goals. The meetings will include exit briefings for IDEM assistant commissioners or deputy commissioners, if requested.
- ! **Review the State-Federal Relationship at Mid-term.** About mid-way through the agreement period (July or August 1998), a conference call will be held between the senior IDEM manager and senior U.S. EPA Region 5 manager responsible for monitoring and implementing the EnPPA in each agency. This conference call will serve as a checkpoint for elevating state-federal relationship issues, celebrating successes, identifying barriers, and reaffirming the agreement's validity for both agencies.
- ! **Assess Progress.** IDEM and U.S. EPA Region 5 will each prepare a self-assessment by October 31, 1998, which will serve as a starting point for negotiations on the SFY 2000-2001 Environmental Performance Partnership Agreement. The self-assessment should 1) assess IDEM and U.S. EPA Region 5's performance against the objectives, indicators and core performance measures in this agreement; 2) provide an analysis of current program strengths and areas for improvement; 3) identify emerging issues and environmental trends; and 4) suggest any specific actions, approaches or suggestions for IDEM and U.S. EPA Region 5 to improve progress under the next agreement. Combined with U.S. EPA Region 5's review and comment, IDEM's self-assessment may also serve as the end-of-year grant assessment for the SFY 1998 performance partnership grant (covering the period from October 1, 1997, through

June 30, 1998).

During 1997 and early 1998, IDEM will develop an internal management tracking and accountability system to regularly monitor progress toward goals, objectives and outcomes in the agreement. In order to reduce or eliminate duplicate work, IDEM and U.S. EPA Region 5 will work together to ensure that the state's tracking system also meets any federal requirements for end-of-year grant reporting for the SFY 1999 performance partnership grant (covering the period from July 1, 1998, through June 30, 1999). This system will be developed by July 1, 1998.

Also, in March of 1998, IDEM will begin publishing an annual state of the environment report. This report will describe the key environmental conditions and stressors on Indiana's environment.

- ! **Amendments.** During the agreement period, it may be necessary to amend the agreement to respond to legislative mandates, emerging issues, new priorities or other unforeseen issues. IDEM's Office of Planning and Assessment will submit proposed amendments to U.S. EPA Region 5 as needed, but no more often than once each quarter. The Office of the Regional Administrator will be responsible for coordinating U.S. EPA Region 5's review and approval of those amendments.
- ! **Other Reporting Relationships.** During the agreement period, IDEM will provide information and reports to specific U.S. EPA Region 5 program areas as outlined in annual guidance. U.S. EPA Region 5 will conduct an annual evaluation of IDEM program performance pursuant to grant regulations and guidance. IDEM will continue to operate a U.S. EPA Region 5 quality assurance program and submit timely and accurate data into existing regional/national databases.

The table in the next page shows the relationships between the calendar year, the federal fiscal year, the state fiscal year and the time frames for the conference calls, partnership meetings, self-assessments and the state of the environment report, which have been described above.

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V. REVIEW/ASSESSMENT PROCESS

Calendar Year in quarters	Federal Fiscal Year	State Fiscal Year	Duration of this EnPPA*	Quarterly Conference Calls	Partnership Meetings	EPA and IDEM Self- Assessments	State of the Environment Report
Jul. - Sept. 1997							
Oct. - Dec. 1997	FY 1998	FY 1998	EnPPA	X	X	X (IDEM)	
Jan. - Mar. 1998				X			
Apr. - Jun. 1998				X	X		X
Jul. - Sept. 1998				X			
Oct. - Dec. 1998	FY 1999	FY 1999		X	X	X	
Jan. - Mar. 1999				X			X
Apr. - Jun. 1999				X	X		
Jul. - Sept. 1999							

*Beginning October 1, 1997, and ending June 30, 1999.

VI. DISPUTE RESOLUTION PROCESS

IDEM and U.S. EPA Region 5 will use the following agreed-upon dispute resolution process to handle the conflicts that may arise as we implement our environmental programs. We will treat the resolution process as an opportunity to improve our joint efforts and not as an indication of failure.

Dispute - any disagreement over an issue that prevents a matter from going forward.

Resolution process - a process whereby the parties move from disagreement to agreement over an issue.

A. Informal Dispute Resolution Guiding Principles

IDEM and U.S. EPA Region 5 will ensure that programs:

- ! Recognize conflict as a normal part of the state/federal relationship.
- ! Approach disagreement as a mutual problem requiring efforts from both agencies to resolve.
- ! Approach the discussion as an opportunity to improve decision-making through joint efforts.
- ! Aim for resolution at the staff level, while keeping management informed.
- ! Seriously consider all issues raised, but address them in a prioritized manner to ensure that sufficient time is allocated to the most significant issues.
- ! Promptly disclose underlying assumptions, frames of reference and other driving forces.
- ! Clearly differentiate positions and check understanding of content and process with all appropriate or affected parties to ensure acceptance by all stakeholders.
- ! Document discussions to minimize future misunderstandings.
- ! Pay attention to time frames and/or deadlines and escalate quickly when necessary.

B. Formal Conflict Resolution

There are several formalized programmatic conflict resolution procedures that need to be invoked if the informal route has failed to resolved all issues. 40 CFR 31.70 outlines the formal grant dispute procedures. There is also a national pollutant discharge elimination system (NPDES) conflict resolution procedure. In addition, the Superfund program sponsors an alternate dispute resolution contract that provides neutral third parties to facilitate conflict resolution for projects accepted into the program. These are all time consuming and should be reserved for the most contentious issues. For less contentious matters, we will use the following procedures:

1. Principle - all disputes should be resolved at the front line or staff level.

VII. CONCLUSION

2. Time frame - generally, disputes should be resolved as quickly as possible but within two weeks of their arising at the staff level. If unresolved at the end of two weeks, the issue should be raised to the next level of each organization.
3. Escalation - when there is no resolution and the two weeks have passed, there should be comparable escalation in each organization, accompanied by a statement of the issue and a one-page issue paper. A conference call between the parties should be held as soon as possible. Disputes that need to be raised to a higher level should again be raised in comparable fashion in each organization.

See Dispute Resolution Model in Appendix D.

VII. CONCLUSION

The Fiscal Year 1998-1999 Environmental Performance Partnership Agreement was developed to guide and frame our course, to provide common goals and opportunities for collaborative efforts, and to promote the most effective allocation of resources. This agreement will help us foster a stronger working relationship and strengthen our ability to address and resolve the complex environmental challenges now facing us. Ultimately, this shared vision will help us reach our long-term goal of a healthier, cleaner environment.

VIII. AGREEMENT

This agreement is hereby entered into this ____ day of _____, 1997 and remains in effect until June 30, 1999, unless amended by mutual consent.

For the State of Indiana:

John M. Hamilton
Commissioner
Indiana Department of Environmental Management

Date

For the U.S. Environmental Protection Agency:

David A. Ullrich
Acting Regional Administrator
Region 5, United States Environmental Protection Agency

Date